

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON – AT SEATTLE

KENNETH FLEMING, JOHN DOE, R.K. and
T.D.,

Plaintiffs,

vs.

THE CORPORATION OF THE PRESIDENT
OF THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, a Utah corporation
sole, a/d/a "MORMON CHURCH"; LDS
SOCIAL SERVICES a/d/a LDS, a Utah
corporation,

Defendants.

NO. 04-2338 RSM

DECLARATION OF MICHELLE A.
MENELY RE: PLAINTIFF'S REPLY TO
DEFENDANTS' RESPONSE TO
PLAINTIFF'S MOTIONS IN LIMINE

NOTED FOR HEARING:
SEPTEMBER 15, 2006

I, MICHELLE A. MENELY, being first duly sworn on oath, deposes and says:

1. I am one of the attorneys for plaintiff in the above-entitled matter; I make this declaration based on my own personal knowledge.

2. Attached hereto as **Exhibit A** is a true and correct copy of the following pages from the deposition of R.K.: 18

MENELY DECL. RE: P.'S REPLY TO D.'S RESP. TO P'S MIL - 1 of 2
(04-2338RSM)
[170065 v1.doc]

LAW OFFICES
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1 I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and
2 correct.

3
4 DATED at Seattle, Washington, this 15th day of September, 2006.

5
6 /s/ Michelle A. Menely
7 Michelle A. Menely

8
9
10 CERTIFICATE OF SERVICE

11 I hereby certify that on September 15, 2006, I electronically filed the foregoing
12 Declaration of Michelle A. Menely with the Clerk of the Court using the CM/ECF system
13 which will send notification of such filing to the following:

14 Charles C. Gordon/Jeffrey I. Tilden/Michael Rosenberger
15 GORDON MURRAY TILDEN
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20 mrosenberger@gmtlaw.com

21 /s/ Carol Wohlwend
22 Legal Assistant to Michelle Menely
23
24
25
26

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENNETH FLEMING and JOHN DOE,)	
)	
Plaintiffs,)	
)	
vs.)	NO. 04-2338 RSM
)	
THE CORPORATION OF THE PRESIDENT OF THE)	
CHURCH OF JESUS CHRIST OF LATTER-DAY)	
SAINTS, a Utah corporation sole, a/k/a)	
"MORMON CHURCH"; LDS SOCIAL SERVICES)	
a/k/a LDS FAMILY SERVICES, a Utah)	
corporation,)	
)	
Defendant.)	

DEPOSITION UPON ORAL EXAMINATION OF
ROBERT KELLY
VIDEOTAPED PROCEEDING

1:10 o'clock p.m.
August 29, 2005
601 Union Street
Suite 3100
Seattle, Washington

REPORTED BY:
ALISON LOTT, CCR#2337

1 Q How well?

2 A Very well.

3 Q You say you knew him very well. What do you mean by that?

4 Did you see him on a regular basis?

5 A Yes.

6 Q Did you speak with him on a regular basis?

7 A Yes.

8 Q Did you stay overnight at the Allenbach residence as a
9 young boy?

10 A Occasionally, yeah.

11 Q Did the Allenbach children come and stay at your place?

12 A Occasionally, they did.

13 Q Were you and Jimmy Allenbach good friends?

14 A Yes, very good friends. Ricky, too.

15 Q Where did you first meet Jack Loholt?

16 A First met Jack when he moved into the Allenbach home.

17 Q Where did he live in that home?

18 A He lived in a downstairs apartment.

19 Q And were you in grade school at the time that you first met
20 him or did you meet him before you started grade school?

21 A I was in grade school at the time.

22 Q Do you remember what grade you were in?

23 A Don't recall what grade.

24 Q In your answers to interrogatories, you list in response to
25 a question to describe the occurrences of inappropriate